

UNITED STATES DISTRICT COURT  
DISTRICT OF MINNESOTA  
Criminal No.: 21-CR-108 (2) (PAM/TNL)

UNITED STATES OF AMERICA,

Plaintiff,

vs.

TOU THAO,

Defendant.

**MOTION FOR DISCLOSURE OF  
EVIDENCE FAVORABLE TO  
DEFENDANT**

The Defendant, Mr. Tou Thao, by and through his attorneys, Robert Paule and Natalie R. Paule, respectfully moves this Court pursuant to the authority of *Brady v. Maryland*, 373 U.S. 83 (1963); *Miller v. Pate*, 386 U.S. 1 (1967); and *Moore v. Illinois*, 408 U.S. 786 (1972), for an order compelling disclosure of any evidence in the possession of the prosecution of any of its agents or other evidence the existence of which is known, or by the exercise of due diligence may become known to the prosecution, which may be favorable to the defendant or is otherwise relevant to the subject matter of this case, and may in any manner aid the defendant in the investigation or preparation of his case for trial or sentencing. This disclosure is to be made without regard to whether the evidence to be disclosed may be admissible at the trial herein, and to include but not limited to the following:

1. Any statement made by any person interviewed by law enforcement officers, which tends to negate any claim of coercion on the part of the defendant or in any way contradicts such a claim or contains a statement inconsistent with other statements making such a claim;
2. Any statement of any witness exculpating the defendant;
3. Any statement of any witness, or the identity of any witness, which contradicts statements of other witnesses;
4. Any prior convictions or arrests involving pending charges or any prospective government witnesses; and
5. Any offers or promises made to prospective government witnesses to induce their cooperation against the defendant whether or not the government intends to call those persons as witnesses.

Respectfully submitted,

Dated: This 3<sup>rd</sup> day of August, 2021

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